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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,969	04/15/2004	Ralph E. Wesinger JR.	GRAPH-005COQ	8219
28661	7590	11/02/2006	EXAMINER	
SIERRA PATENT GROUP, LTD. 1657 Hwy 395, Suite 202 Minden, NV 89423			AHN, SANGWOO	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/825,969

Applicant(s)

WESINGER ET AL.

Examiner

Sangwoo Ahn

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:03102005,05052005,06242005,08172005,02022006,10252006.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 6, 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites "said keywords". There is insufficient antecedent basis for this limitation. For the purpose of further examination, examiner presumes "said keywords" as "a set of keywords".

Claim 6 recites "said second set of keywords". There is insufficient antecedent basis for this limitation. For the purpose of further examination, examiner presumes "said second set of keywords" as "a second set of keywords".

Claim 12 recites "said keywords". There is insufficient antecedent basis for this limitation. For the purpose of further examination, examiner presumes "said keywords" as "a set of keywords".

Claim 13 recites "said second set of keywords". There is insufficient antecedent basis for this limitation. For the purpose of further examination, examiner presumes "said second set of keywords" as "a second set of keywords".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 5,649,186 issued to Gregory J. Ferguson (hereinafter “Ferguson”).

Regarding claim 1, Ferguson discloses,

A method for cataloguing information on the World Wide Web comprising:

traversing the Web by an automated program and storing information found at a link (column 3 lines 17 – 18; 45 – 46, et seq.);

sending said information to a parent database (column 3 lines 55 – 56, et seq.);

categorizing said information by said parent database (column 2 lines 55 – 56, column 3 lines 47, et seq.); and

making said database available on the Web through a search engine (column 3 lines 25 – 27, et seq.).

Regarding claim 2, Ferguson discloses,

said information includes categories of information (column 2 lines 55 – 56, column 3 lines 47, et seq.).

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Regarding claim 3, Ferguson discloses,

said information further includes non-textual information associated with said categories (column 1 lines 21 – 23: a “file” could be any format et seq.).

Regarding claim 4, Ferguson discloses,

said non-textual information includes graphics (column 1 lines 21 – 23: a “file” could be any format, et seq.).

Regarding claim 5, Ferguson discloses,

said information includes categories associated to said keywords (column 2 lines 11 – 15, column 3 lines 55 – 58, column 5 lines 28 – 29, column 6 lines 1 – 5, et seq.).

Regarding claim 6, Ferguson discloses,

said information includes categories associated to said second set of keywords (column 2 lines 11 – 15, column 3 lines 55 – 58, column 5 lines 28 – 29, column 6 lines 1 – 5, et seq.).

Regarding claim 7, Ferguson discloses,

said information is further associated to an additional set of categories (column 2 lines 55 – 56, column 3 lines 47, et seq.).

Claims 8 – 14 are essentially the same as claims 1 – 7 except they set forth the limitations as “an apparatus” rather than “a method”, therefore rejected based on the same rationale discussed in claims 1 – 7 rejections.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Number 5,907,837 issued to Patrick J. Ferrel et al discloses a information retrieval system wherein design and content are separated.

U.S. Patent Number 5,974,455 issued to Louis M. Monier discloses a web crawler system and method for quickly fetching and analyzing web pages on the World Wide Web.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Sangwoo Ahn
Patent Examiner
AU 2166

10/26/2006 SW



**HOSAIN ALAM
SUPERVISORY PATENT EXAMINER**